# COUNTY OF LOS ANGELES
# SHERIFF'S DEPARTMENT

## INVESTIGATIVE SUMMARY

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| **INCIDENT:** | **On-Duty Hit Shooting (Suspect Deceased)** |
| **IAB FILE NUMBER:** | **SH 2369175** |
| **URN#:** | **014-20194-1365-013** |
| **DATE/TIME:** | **October 27, 2014, 1437 Hours** |
| **LOCATIONS:** | **14608 Paramount Boulevard, Paramount** |

On October 27, 2014, an Internal Affairs Bureau (IAB) team comprised of Lieutenant David Flores, Sergeant Daniel Martin, and Sergeant Jose Uribe responded to Lakewood Sheriff's Station regarding an on-duty hit shooting. The shooting resulted in the death of Suspect Oscar Alberto Ramirez.

> **IAB Note:** On February 18, 2016, this shooting investigation was subsequently reassigned to IAB Sergeant Kimberly Mendoza.

IAB Lieutenant Flores checked to see that the watch commander, Lieutenant Eric Lindblom, took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, IAB Lieutenant Flores checked to see if the watch commander attempted to have involved and witness personnel gather in the company of a supervisor until they provided a statement to the assigned Homicide Bureau Investigators.

Detectives Kevin Acebedo and Phillip Martinez from the Los Angeles County Sheriff's Department Homicide Bureau arrived and assumed control of the shooting investigation. For further information regarding the investigation, refer to the Homicide case book, under URN #014-20194-1365-013 **[EXHIBIT A]**.

## SYNOPSIS:

On October 27, 2014, at approximately 2:30 PM, a fight occurred at Paramount Park involving local gang members. The school resource deputy, Deputy Michael Abbot (Witness Abbot) observed a portion of the incident and notified

Lakewood Station desk personnel, via his handheld radio. He also requested back-up units to respond to the area. Civilian witnesses called 911 to report a fight between gang members, and reported the gang members may be armed with a knife and/or gun. Refer to CD containing 911 calls and radio transmissions **[EXHIBIT B].**

Several deputies responded to the location as the suspects fled in separate directions on foot. One of the deputies who arrived first was Deputy Bryan Moreno. Deputy Moreno, upon his arrival at Paramount Park, briefly spoke to Witness Abbot, and received information that Suspect Ramirez, who was involved in the fight, was wearing a white tank top and a blue bandanna on his head, and was possibly armed with a knife. Witness Abbot asked Deputy Moreno to check Paramount Park for Suspect Ramirez who was running northeast.

As Deputy Moreno drove in his patrol vehicle, he saw Suspect Ramirez running north through the park, and then east along the railroad tracks that lie between Paramount Park on the south side, and Paramount High School on the north side. Deputy Moreno, believing that Suspect Ramirez possibly assaulted someone and might be armed, made the decision to follow Suspect Ramirez, on foot, onto the railroad tracks.

Deputy Moreno broadcast on the dispatch channel, on direct, that Suspect Ramirez was last seen running eastbound on the railroad tracks, just north of Paramount Park.

> **IAB Note:** "Direct" mode allows the radio user to communicate over short distances amongst station units and is not recorded.

Deputy Moreno did not broadcast that he was following Suspect Ramirez on foot, he only broadcast Suspect Ramirez' location on the railroad tracks. Deputy Moreno pulled his firearm out from its holster and walked through the wrought iron fence to maintain a visual of Suspect Ramirez. Deputy Moreno walked along the railroad tracks, after Suspect Ramirez, who was fifty to seventy-five yards ahead of him. Suspect Ramirez crossed over to the south side of the railroad tracks and disappeared from Deputy Moreno's sight. Deputy Moreno encountered Witness [redacted] a school [redacted] who was on the south of the railroad tracks. Deputy Moreno asked her if she had seen which way Suspect Ramirez went. Witness [redacted] told Deputy Moreno that Suspect Ramirez probably jumped over the fence on the south side of the railroad tracks and showed him the approximate location.

Deputy Moreno broadcast Suspect Ramirez' last known location on the dispatch channel that he still had switched to direct. Suddenly, Suspect Ramirez appeared from behind a set of bushes on the south side of the tracks.

Deputy Moreno began to immediately give Suspect Ramirez numerous verbal commands to get on his knees and show his hands. Suspect Ramirez refused to comply with Deputy Moreno's orders by keeping his right hand behind his lower back, while facing Deputy Moreno. Suspect Ramirez started to walk backward, away from Deputy Moreno, as Deputy Moreno walked forward, toward Suspect Ramirez. All the while, Deputy Moreno was verbally ordering Suspect Ramirez to show his hands. Deputy Moreno broadcasted on direct, that he was detaining Suspect Ramirez at gunpoint on the railroad tracks. An unknown deputy told Deputy Moreno to broadcast the information on the "patch." Deputy Moreno requested the patch and broadcast he was detaining a 415FT/417A (Disturbance/Fight and Person Armed with a Knife) suspect at gunpoint. Deputy Moreno noticed that Suspect Ramirez was speaking, but he was so focused on his body language and the way he continued to hide his right hand behind his back, that he did not hear his words. Deputy Moreno raised his firearm up, pointing it directly at Suspect Ramirez, while still ordering him to show his hands.

At that point, Witness Deputy Kenneth Hancock was approaching from the east, while driving in his patrol vehicle on the south side of the railroad tracks. As Witness Hancock neared them, Suspect Ramirez continued to keep his right hand behind his back. Witness Hancock continued to drive forward. Deputy Moreno continued to order Suspect Ramirez to show his hands and get on the ground, while continuing to detain him at gunpoint. Deputy Moreno noticed that Deputy Hancock was possibly in his line of fire, and moved to the north, or his left, to avoid any crossfire situation. Suddenly, Suspect Ramirez removed his right hand from behind his lower back, brought it forward, and raised it up at Deputy Moreno. Deputy Moreno fired his weapon eight times, directly at Suspect Ramirez, striking him six times. Suspect Ramirez turned slightly to his right before he fell to the ground.

Witness Hancock immediately placed his patrol vehicle in park and exited to assist Deputy Moreno. Deputy Moreno broadcast that he was involved in a shooting and Witness Hancock requested paramedics for Suspect Ramirez.

Suspect Ramirez was subsequently pronounced deceased at 2:50 PM, by Captain Sweeney and Paramedic Rowe of Los Angeles County Fire Department, Engine #31. Suspect Ramirez sustained six gunshots wounds, two of which were fatal, see Coroner's report **[EXHIBIT A, pages 197-229].** The autopsy report revealed Suspect Ramirez had alcohol, marijuana, amphetamine, and methamphetamine in his system, **[EXHIBIT A, pages 221-222].** Suspect Ramirez was not in possession of a weapon at the time of the shooting.

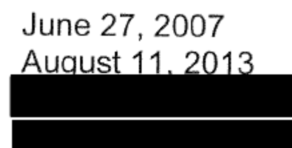
## DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's Office reviewed the shooting of Oscar Ramirez by Deputy Bryan Moreno. In their letter of opinion **[EXHIBIT C]**, dated April 29, 2015, Deputy

District Attorney Ann Marie Wise concluded Deputy Moreno acted lawfully in self-defense.

## INVOLVED EMPLOYEE AND WORK HISTORY

**Bryan Moreno, Deputy, #[redacted]**
**South Patrol Division**
**Lakewood Sheriff Station**



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|---|---|
| Date of Employment: | June 27, 2007 |
| Date Assigned to Patrol/Lakewood Station: | August 11, 2013 |
| Date Completed Patrol Training: | [redacted] |
| Prior Shooting incident(s): | |
| Prior Founded Force Incidents: | |

### Equipment Worn On Person

On October 27, 2014, Deputy Moreno was wearing a Class "A" uniform including a Sam Browne duty belt. The equipment on his duty belt included: two sets of handcuffs, Oleoresin Capsicum (OC) spray, expandable baton, 9mm duty weapon, three fully loaded magazines, handheld radio, keys, back-up firearm (.38 caliber), a Sap, and flashlight. He did not have a Taser assigned to him. His county issued PR-24 Baton was located in the patrol vehicle.

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## SUSPECT INFORMATION

**Oscar Alberto Ramirez**
Male, Hispanic, DOB: June 15, 1986, 6'00", 185 pounds
[redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted]

> **IAB Note:** A copy of Suspect Maciel's criminal history is included in the Homicide case book **[EXHIBIT A, pages 130-140].**

## SUSPECT'S INJURIES

Suspect Ramirez sustained multiple gunshot wounds to his chest, head, back, leg, and buttock. See Coroner's Report **[EXHIBIT A, pages 197-229].**

## DEPUTY PERSONNEL INJURIES

None

## PHYSICAL EVIDENCE

All physical evidence was located and collected by Homicide Sergeants Robert Gray and Luis Nunez. They were assisted by Forensic Identification Specialist David Ozeta and Deputy John Chun from the Sheriff's Crime Lab. For descriptions of the evidence collected, and where it was collected, see the Homicide Case Book **[EXHIBIT A, pages 91-92 and 99-100]**.

## INVESTIGATOR'S OBSERVATIONS

Internal Affairs Bureau Sergeant Martin and Sergeant Uribe responded to the scene on October 27, 2014, at approximately 1610 Hours. Sergeant Mendoza, responded to the area of the Deputy Involved Shooting on March 9, 2016, to become familiar with the area where the incident occurred.

The scene is described in detail by Homicide Sergeants Robert Gray and Luis Nunez **[EXHIBIT A, pages 51-56]**. Their description of the scene was consistent with the initial IAB Investigator's observations. The scene was also photographed and sketched by Deputy John Chun from the Sheriff's Crime Lab.

Included in the IAB Case Book is a DVD containing photographs of deputy personnel, crime scene photos, suspect clothing photos, and suspect photos **[EXHIBIT D]**.

## WEAPON USED BY DEPUTY MORENO

Deputy Moreno fired eight rounds of Department issued 9mm ammunition from his Beretta 92FS, 9mm, semiautomatic pistol. The firearm was examined by Senior Criminalist Phil Teramoto of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 104-105]**.

Deputy Moreno's firearm was not submitted for latent prints, blood evidence, or DNA testing.

Eight expended 9mm casings were recovered at the crime scene **[EXHIBIT A, pages 83-84]**.

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

## PROPERTY DAMAGE

None

## CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the deputy involved shooting was handled by Homicide Bureau Detectives Kevin Acebedo and Phillip Martinez of the Los Angeles County Sheriff's Department.

## LIGHTING AND WEATHER CONDITIONS

The incident occurred during daylight hours. The weather was clear and warm.

## RADIO TRANSMISSIONS

IAB Investigators reviewed the radio traffic associated with the incident. Following is a brief synopsis of those transmissions:

### Dispatch 14/L-Tac 3

At 2:30 PM, Unit 139G6 (Deputy Abbot) requested a unit back up on Dispatch 14, regarding a 415FT (Disturbance, Fight) to 14608 Paramount Boulevard. Units 132E/PM Shift (Deputy Moreno), 136F (Lieutenant [redacted] and Deputy Prentice), and 136D (Deputy [redacted]) acknowledged they were en-route to the location.

At 2:34 PM, Tag #235, was voice dispatched and assigned to units 136F and 136A regarding a gang disturbance, person armed with a knife. The call indicated there were four to five males involved in a fight at Paramount Park, and one of the individuals was armed with a knife.

At 2:34 PM, Lakewood desk personnel updated the field units on L-Tac that the disturbing parties from the fight call were running toward the pool. They further advised that one individual was possibly armed with a firearm and he was wearing grey shorts and a black shirt.

At 2:34 PM, an unknown unit asks, "Copy, are they on the tracks now?"

> **IAB Note:** This is likely in response to Deputy Moreno stating on direct that Suspect Ramirez was running on the railroad tracks. That radio traffic, would not have been recorded by SCC.

At 2:36 PM, Lakewood desk personnel further advised on L-Tac, that the disturbing parties from the fight were running toward Paramount High School.

At 2:36PM, Deputy Moreno requested the duplex patch. Once the patch was activated, he advised he was detaining a 415FT/417A suspect on the railroad tracks, but does not give his location. Approximately 58 seconds after Deputy Moreno requested the patch, a voice is heard saying "998." Deputy Hancock

immediately requested paramedics for Suspect Ramirez and further advised there were no outstanding suspects. Approximately two minutes and twenty seconds after the patch was requested, Deputy Hancock advised it was clear for the fire department to approach. All radio transmissions are on CD, and included as **[EXHIBIT B].**

## STATEMENTS

*The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed any reports authored by the involved deputies.*

## INVOLVED EMPLOYEE DEPUTY BRYAN MORENO

### Homicide Interview

On October 27, 2014, **Deputy Bryan Moreno, #**[redacted] was interviewed by Homicide Detectives Phillip Martinez and Kevin Acebedo. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 66-69]**. The interview was transcribed under **Job #49332**. Following is a brief summary of the interview:

On October 27, 2014, Deputy Moreno was assigned to work unit 132E on the PM shift. At the beginning of his shift he heard unit 139G6 (Witness Abbot) request additional units to respond to Paramount High School for a large fight and a person possibly armed with a knife. He responded to the location from Paramount Boulevard and Somerset Boulevard (approximately three blocks away).

When he arrived at the High School, he contacted Witness Abbot and received information that one of the suspects (Suspect Ramirez) was last seen running north through Paramount Park and was wearing a black shirt and a blue bandanna. Deputy Moreno immediately drove northbound and into Paramount Park. As he approached the baseball field, he saw three male Hispanics running, one being Suspect Ramirez. He noticed Suspect Ramirez was wearing a white tank top, shorts, and a blue bandanna on his forehead, and was carrying a black shirt in his hand. Deputy Moreno advised, on direct, he saw the three males running through the park in a northeasterly direction. He stated that Aero was not overhead at that time. He did not recall hearing any other updates on the radio. He believed the three suspects may have been involved in a battery or assault based on the information he acquired from the radio calls and Witness Abbot.

As Deputy Moreno approached the suspects, they began to run toward the railroad tracks, which is north of the park. He continued to follow them in his

patrol vehicle as two of the suspects approached a wrought iron fence just to the south of the railroad tracks. Two suspects, including Suspect Ramirez, went through an opening in the fence. Suspect Ramirez, once through the fence, ran eastbound along the railroad tracks, while the other suspect went north and out of view from Deputy Moreno. Deputy Moreno parked his patrol vehicle on the grassy area, just south of the wrought iron fence, and exited the vehicle.

Deputy Moreno said his attention was focused on Suspect Ramirez, as he received information from Witness Abbot pertaining to him. He broadcast on direct that Suspect Ramirez was running eastbound along the railroad tracks. He then went through the same opening in the fence and began to follow Suspect Ramirez. Deputy Moreno stated he un-holstered his firearm once he went through the fence due to the fact the suspect was likely armed and was involved in some type of assault earlier. Deputy Moreno did not broadcast that he was following Suspect Ramirez.

Deputy Moreno said as he went through the fence, Suspect Ramirez was fifty to seventy-five yards ahead of him. Deputy Moreno decided he was not going to run after Suspect Ramirez, but simply follow him to observe where he was going, and to broadcast that information for containment purposes. Suspect Ramirez ran from the north side, to the south side of the railroad tracks and disappeared into some bushes. As Deputy Moreno walked along the north side of the railroad tracks, he encountered Witness [redacted], who was a [redacted] at Paramount High School. Deputy Moreno asked Witness [redacted] if she saw where Suspect Ramirez went. Witness [redacted] told him the suspect jumped a fence on the south side of the railroad tracks.

Deputy Moreno broadcast the information about Suspect Ramirez' location on direct. Witness [redacted] was showing Deputy Moreno where she last saw Suspect Ramirez, when the suspect suddenly re-appeared from the bushes, near a homeless encampment. Once Suspect Ramirez came out of the bushes, Witness [redacted] stepped back and Deputy Moreno made contact with him. Suspect Ramirez stood, facing Deputy Moreno, with his right hand hidden behind his back as he angled the right side of his body away from Deputy Moreno. Deputy Moreno said he was holding Suspect Ramirez at gunpoint but his firearm was not "fully drawn out on him."

Deputy Moreno verbally ordered Suspect Ramirez to get on his knees and to show his hands, numerous times. After he realized Suspect Ramirez was not going to comply with his orders, he broadcast on direct that he was detaining the suspect at gunpoint. Deputy Moreno heard an unknown deputy on the radio say, "just go on the patch." Deputy Moreno requested the patch and broadcast he was detaining Suspect Ramirez at gunpoint. Deputy Moreno said he continued to give Suspect Ramirez numerous verbal commands to show his hands and get on his knees, to which he failed to comply.

During the entire confrontation, Suspect Ramirez kept his body angled with his right hand hidden behind the small of his back. Deputy Moreno stated he started to focus on the suspect's body language and was beginning to feel nervous. He knew Suspect Ramirez was speaking to him, but he did not hear the words. Suspect Ramirez began to walk backward while concealing his right hand behind his back. Deputy Moreno walked forward while commanding Suspect Ramirez to show his hands.

Deputy Moreno stated he began to use curse words while verbally ordering Suspect Ramirez to show his hands. He indicated that nothing was working to gain the suspect's compliance, and he was scared the suspect was not only armed with a firearm, but was about to shoot him. As Suspect Ramirez continued to back away from Deputy Moreno, a patrol vehicle began to drive along the railroad tracks toward them. Deputy Moreno started to shift his position to the left, blading himself away from pointing his firearm directly at the approaching patrol vehicle. Deputy Moreno stated he pointed his firearm directly at Suspect Ramirez because he believed he may have to shoot. As the patrol vehicle went into park, Deputy Moreno said Suspect Ramirez removed his right hand from behind his back and raised it, similar to a "shooting stance", as if he had a pistol. Believing he was about to be shot, Deputy Moreno fired his weapon directly at Suspect Ramirez. Deputy Moreno believed he fired six or seven rounds. He immediately broadcast he was involved in a shooting. Deputy Moreno said the paramedics responded to the scene, and although he was still present, he had already been told to step away from the immediate area.

**IAB Interview**

On March 28, 2016, **Deputy Bryan Moreno, #[redacted]** was interviewed by IAB Sergeants Kimberly Mendoza and Carmen Arballo. The interview was audio recorded and transcribed under **Job # 49553.** Following is a summary of the interview.

Deputy Moreno stated when he arrived at the school, Witness Abbot informed him that Suspect Ramirez was armed with a knife and was last seen running through the park. He estimated the distance between where he parked his patrol vehicle and where the shooting occurred, to be at least one hundred yards.

During the entire incident, until he requested the duplex patch, Deputy Moreno was on Dispatch 14 that was switched to direct. He said he was utilizing direct because he was trying to directly communicate with other units who were close by. Deputy Moreno said if anything was broadcast on L-Tac, he would not have heard it. Deputy Moreno said he never specifically broadcast that he was following Suspect Ramirez on the railroad tracks. Deputy Moreno stated he never ran, jogged, or even walked at a very fast pace after Suspect Ramirez. He said he was not chasing after Suspect Ramirez.

Deputy Moreno said he was familiar with the Department's foot pursuit policy and did not believe he was in foot pursuit of Suspect Ramirez. Deputy Moreno stated by the time he went through the wrought iron fence, he only had a visual on Suspect Ramirez for a brief moment before losing sight of him. Deputy Moreno said he lost sight of Suspect Ramirez in the area where the fence line comes out to the north.

**IAB Note:** During his IAB interview, Deputy Moreno was shown several photographs of the area, as well as a crime scene sketch **[EXHIBIT E]**. On photograph #2, Deputy Moreno placed an "S" where he lost sight of Suspect Ramirez.

Once Deputy Moreno lost sight of Suspect Ramirez, he was flagged down by Witness [redacted] who was standing on the south side of the railroad tracks. Deputy Moreno asked Witness [redacted] if she had seen where Suspect Ramirez went. She pointed toward the fence on the south of the railroad tracks. He asked her to show him where the suspect went. As they approached the corner, where the two fence lines meet, Suspect Ramirez came out from behind a bush. Deputy Moreno estimated the total time he lost sight of Suspect Ramirez to be approximately one minute. He said it was long enough to have allowed Suspect Ramirez time to change his clothing and discard any weapons.

Once Suspect Ramirez came out from behind the bush, he had his right hand behind his back, and was facing Deputy Moreno. During the entire encounter, Suspect Ramirez remained in that same position, all the while back pedaling away from Deputy Moreno. After giving Suspect Ramirez numerous commands to show his hands, get on the ground, and to turn around, Deputy Moreno pointed his firearm directly at Suspect Ramirez. He pointed his weapon at Suspect Ramirez' chest, and believed he had proper sight alignment.

Deputy Moreno said his backdrop at the time of the shooting was bushes, trees, and a fence. A nursery was located farther behind. Suspect Ramirez brought his right arm out from behind his back, and pointed his arm toward Deputy Moreno. He perceived the suspect to be in a shooting stance, which caused him to fire his weapon.

Deputy Moreno remained stationary as he fired his weapon, and did not recall seeing his rounds strike Suspect Ramirez. Deputy Moreno did not recall seeing Suspect Ramirez turn or spin around before he fell to the ground, but he did see the suspect's arm was pointed up toward him as he fell to the ground.
Deputy Moreno fired his rounds in quick succession, and ceased fire once he saw Suspect Ramirez on the ground.

## WITNESS DEPUTY KENNETH HANCOCK

### Homicide Interview

On October 27, 2014, **Deputy Kenneth Hancock, #[redacted]** was interviewed by Homicide Detectives Phillip Martinez and Kevin Acebedo. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 65-66]**. The interview was transcribed under **Job #49333.** Following is a brief summary of the interview:

On October 17, 2014, Witness Hancock was assigned to Lakewood Station and was working Unit 132E/ Day Shift. He responded to Paramount Park from the Paramount substation regarding a call of students fighting and a person armed with a knife. It took him twenty to thirty seconds to arrive at the park. Once he arrived, he noticed a patrol vehicle parked in the far northeast corner of the park, but could not see if a deputy was inside the vehicle.

Witness Hancock recalled hearing on the radio that a suspect (Suspect Ramirez) was on the railroad tracks running eastbound. He went around to Downey Avenue in order to access the railroad tracks, east of where the suspect was running. As Witness Hancock drove around the block, he heard additional radio traffic indicating the suspect jumped over a fence on the south side of the railroad tracks. Once he reached the railroad tracks, he drove his patrol vehicle along the south side of the tracks, traveling westbound from Downey Avenue. He saw Deputy Moreno walking eastbound with his gun pointed at Suspect Ramirez. The suspect was walking backward, also eastbound, away from Deputy Moreno. Witness Hancock saw the suspect was wearing a white tank top, dark shorts and had a thin build. He also noticed the suspect had his right hand behind his back, hidden from Deputy Moreno. He was unable to see if the suspect had anything in his right hand due to the distance. He saw that the suspect's body was not square toward Deputy Moreno, as if he was blading his body, with his left side more forward than the right. He believed, based on the suspect's body language, that he was not being compliant with whatever Deputy Moreno was ordering him to do.

As Witness Hancock continued to drive westbound toward Deputy Moreno and Suspect Ramirez, he saw Deputy Moreno's mouth moving as if he was giving the suspect commands. He noticed that Deputy Moreno started to move to the side, blading his body, so not to point his firearm directly at Witness Hancock. He believed Deputy Moreno was trying to avoid a crossfire situation. Once Witness Hancock was forty to fifty feet away, he saw the suspect suddenly pull his right arm from his back as if he had drawn a firearm. Witness Hancock decided that, if the suspect did in fact pull out a gun, he was going to run him over with his patrol vehicle. As the suspect brought his arm forward, toward Deputy Moreno, Witness Hancock saw Deputy Moreno fire at the suspect. The suspect turned slightly and then fell to the ground.

Witness Hancock immediately exited his patrol vehicle and went over to Deputy Moreno as he broadcast the deputy involved shooting. Witness Hancock made sure Deputy Moreno was not injured and requested paramedics for Suspect Ramirez. Witness Hancock rolled Suspect Ramirez over and did a quick search for weapons. He found none. He stated the suspect appeared to be deceased at that point.

**IAB Interview**

On March 28, 2016, **Deputy Kenneth Hancock, #** [redacted] was interviewed by IAB Sergeants Kimberly Mendoza and Carmen Arballo. The interview was audio recorded and transcribed under **Job # 49552.** Following is a summary of the interview.

Witness Hancock stated on October 27, 2014, he may have utilized both L-Tac and the dispatch channel to broadcast information, and possibly switched his radio to direct. He stated he would use direct instead of L-Tac if the tactical frequency was being utilized, or if he wanted to quickly broadcast information to specific units in the immediate area.

Witness Hancock said Suspect Ramirez was standing with his feet slightly apart when Deputy Moreno started firing his weapon, and then placed his feet together, before he fell to the ground. Witness Hancock stated Suspect Ramirez turned slightly to the right before he fell to the ground, landing on his right side. Witness Hancock did not recall if Suspect Ramirez was ever facing away while Deputy Moreno was firing his weapon. He said Suspect Ramirez did not take any steps away after the shooting started. Witness Hancock did not recall any pauses in the succession of Deputy Moreno's rounds.

Witness Hancock stated after Suspect Ramirez fell to the ground, he appeared to be deceased. He recalled seeing a gunshot wound to his head, with fluid possibly leaking out. He stated Suspect Ramirez never spoke or moved after he fell to the ground. He said Suspect Ramirez appeared to have been shot several times.

**<u>WITNESS DEPUTY MICHAEL ABBOT</u>**

*Deputy Abbot authored a supplemental report* **[EXHIBIT A, pages 24-25]** *regarding the general incident.*

On March 28, 2016, **Deputy Michael Abbot, #**[redacted] was interviewed by IAB Sergeants Kimberly Mendoza and Carmen Arballo. The interview was audio recorded and transcribed under **Job # 49550.** Following is a summary of the interview.

Witness Abbot stated on October 27, 2014, while at the school campus, he received information that Suspect Ramirez may have been armed with a knife. He relayed that information to Deputy Moreno when he arrived at the school. He gave Deputy Moreno a general physical description and last seen direction for Suspect Ramirez and asked him to check the park. Witness Abbot also recalled receiving information about Suspect Ramirez wearing a bandanna, and he also advised Deputy Moreno of that information. Witness Abbot had concerns about student safety, as it was dismissal time when Suspect Ramirez ran through the park, possibly armed with a knife. He stated there were thousands of students being dismissed from the middle and high schools at the time.

Witness Abbot stated Deputy Moreno drove toward the park to check for Suspect Ramirez. Witness Abbot left the school to check the park, but had already lost sight of Deputy Moreno. As Witness Abbot reached the north end of the park, he saw Deputy Moreno's patrol vehicle parked with the door open. Deputy Moreno was nowhere in sight. Witness Abbot said he received a phone call from Witness [redacted] that something was happening on the railroad tracks. The phone call was very brief and Witness Abbot recalled hearing emergent radio traffic about the same time. Witness Abbot drove around to the railroad tracks once he heard the assistance request. By the time he arrived, the shooting already occurred.

**WITNESS [redacted]**

On October 27, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 59-61].** The interview was transcribe under **Job # 49331**. Following is a brief summary of the interview:

On October 27, 2014, Witness [redacted] was a [redacted]. When she was excused for the day, she saw three Hispanic gang members at Paramount Park, near the bleachers. She described one of the gang members as being tall and wearing a bandanna across his forehead. The second gang member was wearing all grey clothing and the third gang member was wearing a black shirt and grey shorts. She saw a couple that was not with the group of three males; the male was wearing a red shirt, he was accompanied by an unknown female wearing a brown shirt.

The three gang members appeared to be harassing the couple. Witness [redacted] saw the gang member, who was wearing the black shirt, hit the male (who was wearing the red shirt) with a skateboard. She then saw the gang member, who was wearing all grey, pull out a knife from his pants pocket. Witness [redacted] said she then saw the male wearing the bandanna (Suspect Ramirez) pull out a black gun from his right front shorts pocket. She described the gun as being similar to the guns that deputies carry. She further described

that Suspect Ramirez pulled back on the gun while pointing it at the ground (manipulating the slide).

Less than one minute later, the deputies arrived with their sirens activated. She said the three gang members started running away. Witness [redacted] said Suspect Ramirez initially ran from the scene while holding the gun in his right hand. Witness [redacted] immediately went to the school office and she did not hear any gunshots nor did she witness the deputy involved shooting.

**WITNESS [redacted]**

On October 27, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 61-62].** The interview was transcribed under **Job # 49334**. Following is a brief summary of the interview:

On October 27, 2014, Witness [redacted] was an [redacted] His duties included [redacted] and assisting the [redacted] At approximately 2:30 PM, Witness [redacted] was south of the train tracks, in Paramount Park. As he walked through the park, nearing the pedestrian bridge, he saw a man running down the train tracks. He recognized the man (Suspect Ramirez) as being the same man that was earlier involved in an argument in front of the middle school. He described Suspect Ramirez as wearing a tank top, black shorts, and white shoes.

When he arrived at the gate, Witness [redacted] (the [redacted] was already there. As Witness [redacted] was at the gate, he saw Suspect Ramirez run right by him on the train tracks. He saw Suspect Ramirez holding a black jacket in his hand as he ran by. He then noticed a police car approach with its overhead lights flashing. Witness [redacted] saw a deputy running after Suspect Ramirez, when the suspect suddenly disappeared, near the tracks. He heard the deputy ask where the suspect went, and Witness [redacted] answered him by pointing to the suspect as he reappeared.

Witness [redacted] stated when Suspect Ramirez re-appeared, the deputy had his gun out and was attempting to get the suspect to stop. Suspect Ramirez did not appear to be complying, as he started walking toward the deputy and then stopped and walked backward, away from the deputy. He recalled the suspect's right hand was near his waistband. He heard the deputy giving the suspect commands, although he could not recall his exact words. Witness [redacted] also saw a patrol vehicle driving down the railroad tracks, from Downey Avenue. As the patrol vehicle approached from the east, he heard gunshots. He saw Suspect Ramirez fall to the ground and several police officers arrived.

As Witness [redacted] was watching the events unfold on the railroad tracks, he was thinking that the suspect "was walking to his death wish, like he wanted to get killed."

**WITNESS [redacted]**

On October 27, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interviews were summarized in the Homicide case book **[EXHIBIT A, pages 63-64]**. The interview was transcribed under **Job #49337**. Following is a brief summary of the interview:

On October 27, 2014, Witness [redacted] was the [redacted]. At dismissal time, he was standing in front of the school and he witnessed a disagreement between several males, some of them being former students. He notified the school security guards of the altercation and tried to move the current students out of the area. One of the individuals involved in the altercation was wearing a bandanna on his forehead and appeared to be in his mid-20's (Suspect Ramirez). Witness [redacted] received information from his [redacted] that one of the individuals was in possession of a knife.

As the individuals involved in the disturbance moved closer to Paramount Boulevard, campus security and Witness Abbot arrived, causing Suspect Ramirez and the other individuals to start running north, toward the park. Witness [redacted] saw Suspect Ramirez run toward the fence by the railroad tracks. Witness [redacted] walked north, toward the handball courts, to talk to Witness Abbot about where he had seen one of the suspects flee. As Witness [redacted] reached a patrol vehicle, he saw that it was empty, and the door was open. A few moments later, he heard approximately five shots. He did not see who was shooting, but saw large clouds of dust on the railroad tracks.

**WITNESS [redacted]**

On October 27, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 64-65].** The interview was transcribed under **Job #49339**. Following is a brief summary of the interview:

On October 27, 2104, Witness [redacted] was [redacted] as a [redacted] At approximately 2:15 PM she responded to open the crossover gate from the north side of the railroad tracks to the south side. She was allowing the girls soccer team to cross over the railroad tracks to pick up soccer goals.

**IAB Note:** An elevated pedestrian walkway is located above the railroad tracks and allows access from the high school on the north side, to the middle school and park on the south side. See photograph, **[EXHIBIT E, Photograph 2].**

As Witness [redacted] looked toward the railroad tracks, she saw a man she knew by the name of "[redacted]" (Witness [redacted]). Witness [redacted] was walking along the north side of the tracks, toward Downey Avenue. Witness [redacted] saw him looking back at Suspect Ramirez, who was running along the railroad tracks. Witness [redacted] described Suspect Ramirez as a Hispanic male, thin build, tall, wearing jeans, a Pendleton, and a bandanna across his forehead. Witness [redacted] also saw a male deputy (Deputy Moreno) running along the railroad tracks. She said the deputy was alone, which concerned her enough to call Witness Abbot and alert him that the deputy was alone on the tracks. She told Witness Abbot there was a lone deputy chasing someone on the tracks, and his gun was out. Witness Abbot told her that he was on his way. At that point, Witness [redacted] did not hear sirens nor was a helicopter overhead.

As Deputy Moreno ran past Witness [redacted] she pointed to some bushes on the south side of the tracks where she had last seen Suspect Ramirez. She told Deputy Moreno that she thought Suspect Ramirez jumped over the fence because she saw a cloud of dust. Moments later, Suspect Ramirez re-appeared from behind the bushes. Witness [redacted] estimated she was approximately twenty yards away when she saw Suspect Ramirez come out of the bushes. She noticed Suspect Ramirez was wearing different clothes after he re-appeared; Suspect Ramirez was wearing only a white shirt, and had his Pendleton over his shoulder.

Witness [redacted] said Deputy Moreno was fairly close to Suspect Ramirez once he came out of the bushes. She noticed Deputy Moreno had his gun out and Suspect Ramirez was walking backward, away from him, as Deputy Moreno walked forward. She heard Deputy Moreno giving commands to Suspect Ramirez, but could not hear the exact words. Witness [redacted] said she was more focused on the girls from the soccer team who were nearing the gate.

Witness [redacted] was standing near Witness [redacted] and she told him, "Cover your eyes, cover your eyes" due to the confrontation that was occurring. At that moment, she heard seven shots, but did not see the shooting. She said the railroad tracks obstructed her view, and she could not see Suspect Ramirez after he fell to the ground. Witness [redacted] remained with the girls' from the soccer team and locked the school gate after the shooting.

**WITNESS [redacted]**

On October 27, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 69-70]**. The interview was transcribed under **Job #49336**. Following is a brief summary of the interview:

On October 27, 2014, Witness [redacted] stated she was at [redacted]. The [redacted] field was adjacent to the train tracks where the shooting occurred. Witness [redacted] said she heard yelling. When she turned around, she saw Suspect Ramirez backing up from Deputy Moreno, who was pointing a handgun at the suspect. She said Suspect Ramirez was wearing a white shirt and black shorts.

Witness [redacted] recalled seeing Suspect Ramirez backing up from Deputy Moreno as Suspect Ramirez held his hands behind his back. As Suspect Ramirez backed up, she saw him take his left hand out from behind his back and pull out what she believed was a gun. She said at that point, the deputy shot the suspect. She stated the suspect fell to the ground and she never saw the suspect's weapon again. She estimated that she was twenty to fifty feet away when she witnessed the incident. She further estimated the distance from Deputy Moreno to Suspect Ramirez to be approximately six feet.

**IAB Note:** Witness [redacted] authored a written statement regarding the shooting which can be located in the Homicide case book **[EXHIBIT A, page 77].** In the statement, she indicated she saw a "cop shoot a cholo." Witness [redacted] stated in the written statement the "cholo" was backing up from the deputy when he, suddenly took out a gun.

**WITNESS [redacted]**

On November 03, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 74-75].** The interview was transcribed under **Job # 49335**. Following is a brief summary of the interview.

Witness [redacted] stated he was at Paramount Park with his girlfriend [redacted] when a boy named [redacted] threatened him with a knife. [redacted] was with two other males that he did not know. One of the other males was an older male, who claimed to be from the "Aztlan" gang. That male was later identified by physical description to be Suspect Ramirez. Witness [redacted] described Suspect Ramirez to be an older male, wearing shorts, white socks and a blue bandanna tied around his head.

At one point during the verbal altercation, Suspect Ramirez had something in his waistband that appeared to be black in color. Witness [redacted] could not say for certain what the object was, but Witness [redacted] believed Suspect Ramirez wanted him to be aware of what was concealed in his waistband, as if he was threatening him with the object. Witness [redacted] felt Suspect Ramirez was acting as if "his brain was fried or something."

## WITNESS [redacted]

On November 03, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, page 69].** The interview was transcribed under **Job # 49338**. Following is a brief summary of the interview.

Witness [redacted] stated on October 27, 2014, she saw a deputy (Deputy Moreno) shoot a man who was wearing a white shirt. She saw the man (Suspect Ramirez) walking backward, away from Deputy Moreno when the shooting happened. She said she heard one gunshot, followed by a few more gunshots a couple seconds later.

## WITNESS [redacted]

On October 28, 2014, [redacted] was interviewed by Homicide Detectives Kevin Acebedo and Phillip Martinez. The interview was summarized in the Homicide case book **[EXHIBIT A, pages 70-71].** The interview was not transcribed. Following is a brief summary of the interview.

Witness [redacted] is the [redacted] of the deceased, Suspect Ramirez. Witness [redacted] said he was forced to kick his [redacted] out of his home approximately one month prior to the shooting due to his alcohol and drug abuse. Witness [redacted] said his [redacted] had a bad temper because of his drug and alcohol addiction. He explained that approximately five years prior, his [redacted] suffered a head injury after being struck by a car. After the accident, Suspect Ramirez began using marijuana and other drugs.

## ADDITIONAL INFORMATION

On November 5, 2014, Homicide Detectives contacted Mike Enomoto, Assistant Head Deputy District Attorney at Norwalk Superior Court. Homicide Investigators inquired if consideration would be made to file charges against [redacted] (the male who brandished the knife) for a "Proactive Act" murder, due to the fact that he initiated the confrontation that resulted in the Officer Involved Shooting, in which Suspect Ramirez was killed. District Attorney Enomoto stated it appeared to lack foundation, and that filing charges related to the "Provocative Act" would not be considered.